

UNITED STATES DISTRICT COURT

Northern District of California

10 Electronic Frontier Foundation,

12-00164 CW

11 Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

12 v.

13 U.S. Department of Transportation,

14 Defendant(s).

16 The parties have failed to file an ADR Certification and either a Stipulation and
17 [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone
18 Conference as required by the Initial Case Management Scheduling Order. Counsel
19 shall Meet and Confer forthwith in an attempt to agree on an ADR process for this
20 matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file
21 an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting**
22 **ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b),
23 ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available
24 at www.adr.cand.uscourts.gov.)

26 Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a
27 copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax
28 (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
2 to an e-mail directed to adr@cand.uscourts.gov.

3
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if
5 required, to occur before the Case Management Conference.
6
7

8 Dated: May 11, 2012

9 RICHARD W. WIEKING
10 Clerk
by: Timothy J. Smagacz

11 

12 ADR Program Administrator
13 415-522-4205
Tim_Smagacz@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Electronic Frontier Foundation v. U.S. Department of Transportation

Case Number: 12-00164 CW

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On May 11, 2012, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Jennifer Ann Lynch
Electronic Frontier Foundation
454 Shotwell St
San Francisco, CA 94110
jlynch@eff.org

Jennie Leah Kneedler
U.S. Department of Justice, Civil Division
P.O. Box 883
Federal Programs Branch
Washington, DC 20044
Jennie.L.Kneedler@usdoj.gov

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 11, 2012 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



ADR Program Administrator

415-522-4205

Tim_Smagacz@cand.uscourts.gov